

STATE OF NEW HAMPSHIRE

Executive Council

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DAVID K. WHEELER

Andru Volinsky,
Executive Councilor for District Two

Meeting Report Executive Council Meeting of February 1, 2017

The most important items on this agenda concerned appointments by Governor Sununu. Please see the Nominations section below. Reach me at Andru.Volinsky@nh.gov.

Attached to this Report, please find descriptions of agenda items relevant to Council District Two sorted by whether the item is one of a statewide scope or concerns the Monadnock Region, the Central Region of District Two which is centered around Merrimack County or the Strafford County portion of District Two.

Nominations

The first nomination we considered was that of Frank Edelblut to be the Commissioner of Education. The vote was tabled until February 15th because the Governor failed to consult with the State Board of Education as expressly required by statute. RSA 21-N:3,I. The Governor will now meet with the State Board on February 9th. We also considered and voted upon the nominations of John William Degnan for a second term as Fire Marshal, Amanda Merrill as the public member of the LCHIP board, and Suzanne Foster to join the University System Board of Trustees. The nominations are discussed below.

A. Frank Edelblut for Education Commissioner

We held an unprecedented seven-hour hearing on Mr. Edelblut's confirmation on January 31st in Council Chambers. Mr. Edelblut, a former gubernatorial candidate, was accompanied by a number of supporters sporting green stickers or yellow scarves. 27 people spoke in the nominee's favor and 47 against. Another 25 signed up in support and 66 in opposition, but chose not to speak. Additionally, the Council offices received over 700 calls leading up to the hearing. I oppose Mr. Edelblut and used my time to carefully question him. The Concord Monitor's editorial of February 3rd discussed the confirmation hearing. You may find it here: <http://www.concordmonitor.com/Volinsky-and-Pappas-get-tough-with-Edelblut-7864639>

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My opposition to Mr. Edelblut's appointment is three-fold. First, I do not believe that he is qualified for the job because Mr. Edelblut lacks any academic training and has no experience working in or with any New Hampshire school system. This contrasts with the last 40 years worth of Education Commissioners all of whom held advanced degrees in education and all had substantial experience as teachers and administrators. Mr. Edelblut also refuses to commit to serve the full four-year term of appointment and has held open a further run for political office in the very immediate future.

Second, the education commissioner is often referred to as the "chief state schools officer" and is the most senior educational professional in the state. NHPR, WMUR, and other news outlets have reported that the nominee has a close affiliation with a college whose publicly stated mission includes a directive to advance a certain biblical worldview in civil government. The biblical worldview supports and advances creationism and relegates women to second class status. The biblical worldview rejects LGBTQ rights. In light of the duties and responsibilities of an education commissioner, these worldviews are troubling.

Finally, Mr. Edelblut's strongly supports home schooling and charter schools and advocated for Croydon when it diverted public school money to a private school. Every traditional public school student who attends a charter school takes her \$3600 adequacy aid allotment out of the traditional school's budget and moves it to the charter's budget. In addition, charters receive an additional stipend of \$3000 per pupil from the state. If Mr. Edelblut is successful in encouraging only five percent of our students to switch to charters, our property taxpayers will be forced to make up \$32 million in lost adequacy aid and our state budget will have to find an additional \$27 million in charter stipends.

B. John William Degnan as Fire Marshal

Fire Marshall Degnan was re-confirmed by a 3-2 vote. Councilor Pappas and I dissented. I interviewed Mr. Degnan by phone and ultimately voted against him because I did not think there was sufficient communication among the various factions of the fire service. Mr. Degnan agreed to hold a Summit to bring together volunteer and professional firefighters and fire chiefs. I also voted against Mr. Degnan because he refused to approve emergency building aid for Concord which must replace all of its heating systems due to the imminent closure of Concord Steam and for Hinsdale, a part of whose elementary school building failed to meet fire code.

C. Amanda Merrill for Public Member of LCHIP Board

Ms. Merrill was a non-controversial nominee to the LCHIP board. She was approved unanimously. She is well known as a committed public servant having served elected and appointed positions in a number of administrations. The New Hampshire Land and Community Heritage Investment Program (LCHIP) is an independent state authority that makes matching grants to NH communities and non-profits to conserve and preserve New Hampshire's most important natural, cultural and historic resources. Through this investment Program every \$1 in resources brings back more than seven times local, private, federal funds, and helps to secure NH's greatest business advantage: The quality of life and traditional values of our state. See RSA 227-M.

D. Suzanne Foster for the University System Board of Trustees

Ms. Foster was also approved unanimously. She is a vice president at Medtronics Energy and previously was responsible for ethics and compliance work in the Elliot Health System. She has earned a law degree, an MPH, and an M.Ed. She is committed to working with the University System. I interviewed her by phone and spoke to the System's chancellor and board chair about her. Both the chair and chancellor were very supportive of her confirmation.

E. Nominations to be considered for Confirmation on February 15, 2017

The Governor nominated Joseph Bautista, MD, FHM and Joan Barthold, MD for positions on the Medical Review Subcommittee. See RSA 329:17-V(a). Lawrence Blaney of Manchester was nominated to the NH Motor Vehicle Industry Board. Dena Shields, MS, RD, LD of Newbury was nominated to the Board of Licensed Dietitians. Deputy Chief John Powers of Dover was nominated to the Manufactured Housing Standards Board. Kerry LeBlanc, ARM, of Bedford was nominated to the Fire Standards and Training Commission.

Volunteer for State Boards and Commissions

This topic continues to be important. Please consider contacting me with your interest in being appointed to a state board or commission. The Governor is developing a portal to facilitate the process of volunteering. While this electronic application process is under development, if you are interested in an appointment, please send your resume and statement of interest to me via email at: Andru.Volinsky@nh.gov. A list of the state volunteer positions may be found in the New Hampshire Red Book.¹

Spotlight

I intend to highlight one or two agenda items that may be of interest to my constituents in a Spotlight section of my reports.

A. Coalition Against Domestic and Sexual Violence, Concord, NH

The Coalition provides domestic violence prevention training across the state. The contract is funded by a portion of marriage license fees and by fines mandatorily imposed on domestic violence offenders. The fees and fines are administered by DHHS. Issues have been raised about the accuracy of the amounts collected and the timeliness of DHHS's conveyance of the monies raised. Commissioner Meyers had already scheduled a meeting with the involved parties and will report back to the Executive Council about possible shortcomings in the funding system.

B. \$15 an Hour

At my request, the Department of Administrative Services and now the Department of Employment Security began reporting the lowest rates of compensation paid by state vendors to their employees on state projects. On this Council agenda, we had contract items with two contractors that provide construction and labor services.

- ASAP Landscape & Design, LLC of Bow will provide rooftop and perimeter snow removal services. It is a sole proprietorship and its lowest rate of pay was not reported.
- Granite State Lawncare, LLC of Claremont will also provide rooftop and perimeter snow removal and it pays \$15 to its lowest paid workers.

Thank You

Commissioner John Beardmore and Assistant Commissioner Lindsey Stepp of the Department of Revenue Administration are to be thanked for their informative overview of our tax system presented at our breakfast. Maddy Simpson of the Concord Community Music School and Concord High School is to be thanked for her musical presentation. She sang and accompanied herself on the ukulele. Finally, Prof. John Carroll is to be thanked for his book, "Live Free and Farm," from which I read a passage by Wendell Berry.

¹ The Red Book may be found on line at: <http://sos.nh.gov/GC2.aspx> Look to the upper left of the page.

Next Meeting

Our next Executive Council meeting will occur at the State House on February 15, 2017, beginning at 10 a.m. The agenda for the meeting will be posted by the Secretary of State on the Executive Council web page late on the preceding Friday afternoon, February 10th.

<http://sos.nh.gov/GC2.aspx>

Councilor Russ Prescott is responsible for organizing the Executive Council's informal breakfast, which may be viewed by the public. It will be held on February 15, 2017, beginning at 8 a.m. at a location to be determined.

NH STATEWIDE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth and Families

[#11](#) Authorized to exercise a final renewal option to an existing agreement with Southern NH Services (originally approved by G&C on 5-27-15, item #21), for the provision of statewide Child Care Resource and Referral Services, by increasing the price by \$1,980,000 from \$1,980,000 to \$3,960,000, and by extending the completion date from June 30, 2017 to June 30, 2019. **100% Federal Funds. Unanimous Vote.**

[#12](#) Authorized to amend an existing agreement with the NH Coalition Against Domestic and Sexual Violence, Concord, NH (originally approved by G&C on 5-25-11, item #72), for the provision of a statewide domestic violence prevention program, by increasing the price by \$99,396 from \$3,169,092 to \$3,268,488. Effective upon G&C approval through the original completion date of June 30, 2017. **58.28% Other, 31.37% Federal, 10.35% General Funds. Unanimous Vote.**

Division of Public Health Services

[#15](#) Authorized the Bureau of Population Health and Community Services, Chronic Disease Prevention and Screening Section, Oral Health Program to accept and expend federal funds in the amount of \$315,295 from the US Department of Health and Human Services, Health Resources and Services Administration to fund the Grants to States to Support Oral Health Workforce Activities. (2)Further Authorized the funds to be allocated as detailed in letter dated December 15, 2016. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved. Unanimous Vote.**

[#16](#) Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care to accept and expend Other funds in the amount of \$97,000 from the NH Medical Malpractice Joint Underwriting Association to fund the State Loan Repayment Program. Effective upon G&C approval through June 30, 2017. **100% Other Funds. Fiscal Committee approved. Unanimous Vote.**

Division of Behavioral Health

[#19](#) Authorized the Bureau of Mental Health Services to amend an existing agreement with NFI North Inc., Contoocook, NH (originally approved by G&C on 12-16-15, item #13), to operate the transitional housing program on the NH Hospital campus, by increasing the price by \$14,472,000 from \$7,236,000 to \$21,708,000, and by extending the completion date from June 30, 2017 to June 30, 2020. **49.75% Federal, 49.75% General, .5% Other Funds. Unanimous Vote.**

Division of Family Assistance

[#20](#) Authorized to enter into a memorandum of understanding with NH Employment Security, Concord, NH, for access to eligibility determination data for public assistance programs and for the administration of the On-the-Job training services, in an amount not to

exceed \$402,100. Effective July 1, 2017 or upon G&C approval, whichever is later, through June 30, 2019. **80% Federal, 20% General Funds. Unanimous Vote.**

DEPARTMENT OF TRANSPORTATION

[#27](#) Authorized the Bureau of Turnpikes to transfer funds in the amount of \$752,000 from the Turnpike General Reserve Account to budget and expend revenue for the design, development, testing, installation and consultant oversight of the Open Road Tolling System at the Bedford Mainline Plaza and maintenance of the existing ORT lanes at the Hampton Mainline and Hooksett Mainline Plazas for the Division of Operations. Effective upon G&C approval through June 30, 2017. (2) Further Authorized to enter into a contract with Kapsch TrafficCom Transportation NA Inc., for design, testing, installation and maintenance services for the ORT System at the Bedford Mainline Plaza and the Maintenance of the existing ORT lanes at the Hampton Mainline and Hooksett Mainline Plazas for the Turnpike System within the Division of Operations, in the amount of \$9,170,943.23. Effective upon G&C approval through June 30, 2023 with the option to renew for up to 3 additional 3-year optional maintenance period up to, but not beyond June 30, 2032. (3) Further Authorized to exercise an option to install Open Road Tolling at Dover and Rochester Toll Plazas in FY 2021 and FY 2022. **100% Turnpike Funds. Unanimous Vote.**

DEPARTMENT OF AGRICULTURE MARKETS AND FOOD

[#30](#) Authorized to accept and expend grant funds from the US Department of Agriculture, Agricultural Marketing Service in the amount of \$169,948.66. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved. VOTE: 4-1 (Wheeler - No).**

REGION 1: MONADNOCK

DEPARTMENT OF TRANSPORTATION

[#26](#) Authorized the Bureau of Highway Design to enter into an agreement with the firm of Vanasse Hangen Brustlin Inc., Bedford, NH, for preliminary design of improvements to US 202 at its intersection with NH 124 and NH 137 in the Town of Jaffrey, for an amount not to exceed \$950,877.12. Effective upon G&C approval through January 31, 2019. **100% Federal Funds. Unanimous Vote.**

REGION 2: CENTRAL

DEPARTMENT OF ENVIRONMENTAL SERVICES

[#50](#) Authorized to accept and expend \$900,000 in Pass-Thru Federal Highway funds from the NH Department of Transportation to complete construction of the Suncook River stabilization Project to protect the US Route 4 Bridge in Epsom, NH. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved.** (2) Further Authorized to enter into a memorandum of agreement with NHDES in the amount of \$900,000 to jointly fund the Suncook River Stabilization Project, Epsom, NH. Effective for 2 years upon G&C approval. **100% Federal Highway Funds. Unanimous Vote.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

[#68](#) Authorized to enter into a contract with Merrimack County, Boscawen, NH, to acquire a new superior courthouse and land located at 163 North Main Street in Concord, for a total price not to exceed \$15,046,500. Effective upon G&C approval through no later than July 1, 2020. (2) Further Authorized the amount of \$200,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for two full time clerk of the works and one on call architect for oversight and engineering services provided, bringing the total to \$15,246,000. (3) Further Authorized the amount of \$25,000 for payment to the original architect, SMRT, Portland, ME, for their work on the project, bringing the total to \$15,271,500. (4) Further Authorized the transfer of \$78,500 to the State Art

Fund within the Department of Cultural Resources, to purchase art for the new Merrimack Superior Court house. **100% General – Capital – General Funds. Unanimous Vote.**

REGION 3: STRAFFORD

DEPARTMENT OF TRANSPORTATION

[#23](#) Authorized the Bureau of Planning & Community Assistance to **retroactively** amend an agreement with the University of NH, Civil Engineering Department, Durham, NH (originally approved by G&C on 2-25-15, item #22), to deliver a model to effectively inventory, and assess condition of assets for data driven planning and performance management, by extending the completion date from December 31, 2016 to December 31, 2017. No Additional Funding. **100% Federal Funds. Unanimous Vote.**

DEPARTMENT OF CORRECTIONS

[#42](#) Authorized the Division of Parks and Recreation to enter into a contract with Piscataqua Environmental Services LLC, Rochester, NH, for wastewater treatment plant operation, sampling, testing and maintenance services at Wallis Sands State Park, in the amount of \$44,763. Effective May 1, 2017 through October 1, 2018. **100% Agency Income. Unanimous Vote.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

[#49](#) Authorized to accept and expend \$30,962 in federal funds from the National Oceanic and Atmospheric Administration and \$5,390 in private funds donation by the Great Bay Stewards Inc., for a total amount of \$36,352, for the purpose of implementing a summer teacher training program; installing monitoring equipment for water level and geodetic measurements; and to maintain temporary staffing of educational and volunteer staff. Effective upon G&C approval through June 30, 2017. **85% Federal, 15% Private Local Funds. Unanimous Vote.**